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No. 85-714 (3)

In the Supreme Court of the United States

OCTOBER TERM, 1985

TEXAS, ET AL., APPELLANTS

v.

UNITED STATES OF AMERICA

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS

MOTION TO AFFIRM

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QUESTION PRESENTED

Whether a special election schedule established by the Governor of Texas pursuant to his discretionary authority under state law effects a change in a "standard, practice, or procedure with respect to voting" that is subject to preclearance under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c.

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MOTION TO AFFIRM

Pursuant to Rule 16.1 of the Rules of this Court, the Solicitor General, on behalf of the United States, moves that the judgment of the district court in this case be affirmed.

OPINION BELOW

The opinion of the district court (J.S. App. A1-A4) is unreported.

JURISDICTION

The judgment of the district court was entered on August 1, 1985. A notice of appeal (J.S. App. B1) was filed on September 27, 1985, and the appeal was docketed on October 26, 1985. The jurisdiction of this Court is invoked under 42 U.S.C. 1973c.

STATEMENT

1. On May 24, 1985, Representative Sam B. Hall resigned his position as congressman from the Texas First Congressional District (J.S. App. A1). The Texas Election Code provides that a vacancy in the office of United States representative must be filled through a special election (Tex. Elec. Code Ann. arts. 4.09(4), 4.11 (Vernon Supp. 1985)).[1] The statute further states that "[w]hen a vacancy in office is to be filled at a special election, the election must be called for a date [specified in the statute] unless the governor finds the existence of an emergency that warrants calling the election for an earlier date" (*id.* art. 2.01b(b)). In this case, the date specified by the statute would have been "the second Saturday in August," August 10, 1985—78 days after Representative Hall's resignation.[2] Since the statute provides that applications by candidates for a place on the ballot may be filed for a period of 30 days terminating on the thirty-first day before the special election,

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[1] Texas recodified its election laws in 1985 (see Tex. Elec. Code Ann. (Vernon Supp. 1986)), retaining the provisions at issue in this case. See, *e.g.*, Tex. Elec. Code Ann. §§ 41.001, 201.052-201.053 (Vernon Supp. 1986) (date of election); *id.* § 201.055 (candidate filing period); *id.* § 204.021 (vacancy in office of United States representative). The recodification was precleared by the Attorney General on August 16, 1985. We will refer to the provisions in effect at the time of the events in this case.

[2] The statute establishes four uniform election dates (Tex. Elec. Code Ann. art. 2.01b(a) (Vernon Supp. 1985)), and states that a special election shall be called for the first uniform date that occurs within 20 to 90 days of the first public notice of the order calling the election (Tex. Elec. Code Ann. art. 4.09(1) (Vernon Supp. 1985)).

the candidate qualifying period here would have run from June 10 to July 10 (*id.* arts. 1.08c, 4.10(2)).

However, on May 24, 1985—the day that Representative Hall resigned—Governor White exercised his statutory discretion to declare the "existence of an emergency that warrants calling the election for an earlier date," and issued an order calling the election for Saturday, June 29, 1985, only 36 days after Representative Hall's resignation. The Governor's order provided that the candidate qualifying period would end on May 29, 1985, five days after the issuance of the proclamation declaring the vacancy and establishing the election schedule. J.S. App. A1.

The United States notified Governor White in writing on June 27, 1985, that his order establishing the "emergency" special election schedule constituted a change affecting voting within the meaning of Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c, and that, accordingly, the election schedule was subject to the statute's preclearance requirement.[3] In view of the short amount of time left until the election, the United States offered to process the State's submission as quickly as possible. J.S. App. A2. Relying on *Turner* v. *Fainter*, No. A83CA35 (W.D. Tex. Feb. 8, 1983) (J.S. App. D1-D3), Texas took the position that the order setting the schedule for

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[3] Section 5 provides that a change in "any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting" in a State in which the statute applies cannot take effect until the change is precleared by the District Court for the District of Columbia or the Attorney General of the United States, who must evaluate the proposed change to determine whether it has the purpose, or will have the effect, of discriminating on account of race, color, or membership in a language minority group.

the special election was not a change covered by Section 5 and declined to submit the election schedule to the Attorney General for preclearance (J.S. App. A2).

The special election was held as scheduled on June 29, 1985. Since none of the candidates received a majority of the votes cast, a runoff election was required under Texas law. Governor White called the runoff election for August 3, 1985, the earliest date permitted by statute (J.S. App. A1-A2).[4]

2. On July 22, 1985, the United States commenced this action in the United States District Court for the Western District of Texas seeking a temporary restraining order and preliminary injunction requiring appellants to submit the "emergency" election plan for preclearance under Section 5 (J.S. App. A1). The United States contended that the imposition of the shortened candidate qualification period, the selection of June 29, 1985, as the first election date, and the selection of August 3, 1985, as the runoff election date were voting changes covered by Section 5.

The three-judge court concluded that appellants were required to obtain preclearance of the election plan (J.S. App. A1-A4). Relying on this Court's decision in *NAACP* v. *Hampton County Election Commission*, No. 83-1015 (Feb. 27, 1985), the three-judge

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[4] The statute provides that "[i]n the event no candidate receives a majority of the votes cast at the [special election to fill a vacancy in the office of United States representative], the Governor shall, within five days after the results of the election are officially declared, call a second election to be held on a specified day which shall be not less than thirty nor more than forty days after the date of the proclamation or order calling the election" (Tex. Elec. Code Ann. art. 4.11(1) (Vernon Supp. 1985)). The results of the first election were declared on July 2, 1985.

court held that the selection of dates for special elections and for candidate qualifying periods is a voting practice that has the potential for discrimination. The court observed that "the wide manipulation of the dates of candidate qualification and of voting—*possible* under the emergency provision of the Texas election law—provide a potential for discrimination. Therefore, any variation from the election dates stated in the statute, having a potential for discrimination, must be precleared" (J.S. App. A2-A3 (emphasis in original)).

The court rejected appellants' contention that the election plan did not constitute a change subject to preclearance because prior to November 1, 1972—the date Texas became subject to Section 5—Texas governors had exercised their statutory discretion to call special elections in the manner followed in the present case. The court stated that "[p]reexisting *specific* procedures and practices need not be precleared, but the preexisting exercise of discretion to schedule election dates at will cannot be perpetuated without destroying the Voting Rights Act" (J.S. App. A3 (emphasis in original)).

The court also rejected appellants' argument that preclearance by the Attorney General of the statutes authorizing the Governor to set "emergency" special election dates eliminated the preclearance requirement with respect to the Governor's exercise of that statutory authority (J.S. App. A3).[5] The court relied upon

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[5] The statutory provision authorizing the Governor's action —article 2.01b of the Texas Election Code—was precleared when it first was enacted in 1975, when it was readopted in 1977, and when it was amended in 1983 to require the governor to identify the nature of the emergency and to limit the governor's choice of election dates to Tuesdays and Satur-

a provision of the Department of Justice procedures relating to Section 5 that states that the failure of the Attorney General to interpose an objection to enabling legislation does not exempt the jurisdiction from the requirement of preclearance "when it seeks or is required to institute [a] change" pursuant to such legislation (28 C.F.R. 51.14(a)).

The district court ordered appellants to submit the election plan for preclearance by August 9, 1985, and stated that if they failed to do so the election would be declared void (J.S. App. A4).[6] The court stated that if appellants submitted the plan to the Attorney General by August 9, 1985, and the plan was precleared by August 15, 1985, the election results would stand and no further relief would be granted (*ibid.*).

On August 6, 1985, appellants applied to this Court for a stay of the three-judge court's judgment; their application was denied by Justice White on the same day (*Texas* v. *United States*, No. A-106). Appellants submitted the special election plan for preclearance on August 8, 1985, and the Attorney General precleared the plan on August 14, 1985 (J.S. 5).

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days (J.S. App. F1-F4). The 1977 preclearance letter informed the State that "any changes in election date made pursuant to [art. 2.01b] are subject to the preclearance requirements of Section 5" (J.S. App. F3).

[6] The runoff election was held as scheduled on August 3, 1985 (J.S. 4).

ARGUMENT

The district court properly held that Texas was required to submit for preclearance the "emergency" special election plan at issue in this case. The questions presented by appellants are neither "substantial" nor "novel" (J.S. 8); they essentially are controlled by this Court's decision in *NAACP* v. *Hampton County Election Commission*, No. 83-1015 (Feb. 27, 1985). Plenary review by this Court therefore is not warranted.

1. Appellants' sole claim is that the special election plan adopted by Governor White was a discretionary decision not subject to preclearance under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. This argument is meritless.

a. Section 5 applies when a covered jurisdiction [7] "enact[s] or seek[s] to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on" a particular date, which in the case of Texas is November 1, 1972 (42 U.S.C. 1973c). In delineating the scope of Section 5, this Court has emphasized Congress's "intention that all changes [in voting practices], no matter how small, be subjected to § 5 scrutiny." *Allen* v. *State Board of Elections*, 393 U.S. 544, 568 (1969); see also *Dougherty County Board of Education* v. *White*, 439 U.S. 32, 38 (1978); *United States* v. *Sheffield Board of Commissioners*, 435 U.S. 110, 122-124 (1978). The Court applied this principle in *Hampton County*, holding that Section 5 required preclearance of a decision to alter the timing of a

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[7] It is undisputed that Texas is a state covered by Section 5 (J.S. 11-12).

candidate qualifying period and an election date—the very changes at issue in the present case.

In *Hampton County*, the Attorney General had precleared a statute substituting elected district school boards for appointed boards of education. The statute established an August qualifying period for school board candidates and scheduled the election for November, but the statute was not precleared until after the date for the November election had passed.[8] After the county election commissioners received the notification of preclearance, they scheduled a March special election for the school board positions but declined to establish a new candidate qualifying period. The election commissioners decided to use the candidate filings from the previous August qualification period, during which time the new statute had been under review by the Attorney General.[9]

This Court held that the county was required to submit this special election schedule for preclearance under Section 5. The Court rejected the local officials' argument that the special election schedule was "merely an administrative effort to comply with a statute that had already received preclearance, * * *

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[8] The statute at issue in *Hampton County* was not submitted for preclearance until June 16, 1982, although it was enacted on April 9, 1982 (*Hampton County*, slip op. 4, 13 & n.31). The Attorney General interposed an objection on August 23, 1982 (*id.* at 4). The State requested reconsideration, and, on November 19, 1982, the Attorney General withdrew his objection (*id.* at 5).

[9] County officials accepted candidate filings during the statutory period of August 16 through August 31 although the statute had not been precleared. Filings even were accepted after the Attorney General's initial objection on August 23. *Hampton County*, slip op. 4-5.

not a change of such magnitude as to trigger the requirements of § 5." *Hampton County*, slip op. 11. The Court observed that prior decisions "recognize that to effectuate the congressional purpose, § 5 is to be given broad scope. * * * [F]ar from exempting alterations that might be perceived as minor, Congress failed to adopt such a suggestion when it was proposed in debates on the original Act" (slip op. 9 (footnote omitted)).[10]

Reaffirming its decisions in *Hadnott* v. *Amos*, 394 U.S. 358, 365-366 (1969) and *Allen* v. *State Board of Elections*, 393 U.S. 544, 551, 570 (1969), which held that the rescheduling of a candidate filing period is a change that requires preclearance under Section 5 (*Hampton County*, slip op. 9-10), the Court concluded that changes in the timing of a candidate qualifying period and changes in the scheduling of an election are changes subject to preclearance under Section 5 (slip op. 11). The Court observed that it was immaterial that the changes were not effected by statute, stating that "the form of a change in voting procedures cannot determine whether it is within the scope of § 5. That section reaches informal as well as formal changes" (*ibid.*).[11]

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[10] The Court observed that in the legislative history of the 1982 extension of the Voting Rights Act Congress "specifically endorsed a broad construction of [Section 5]." Slip op. 9; see also H.R. Rep. 97-227, 97th Cong., 1st Sess. 34-35 (1981).

[11] The Court noted that "[a]ny doubt that these changes are covered by § 5 is resolved by the construction placed upon the Act by the Attorney General, which is entitled to considerable deference" (*Hampton County*, slip op. 11 (footnote omitted)). Department of Justice regulations provide that "[a]ny change affecting voting, even though it appears to be minor or indirect * * * must meet the Section 5 preclearance requirement" (28 C.F.R. 51.11).

Hampton County makes clear that the special election plan at issue here effected a change subject to preclearance under Section 5. Governor White's order establishing a candidate qualifying period and election dates is indistinguishable from the changes that the Court there held to be subject to preclearance under Section 5.[12]

b. Appellants contend (J.S. 10-11, 13) that Governor White's special election plan did not constitute a change subject to preclearance under Section 5 because the Governor "followed the very practice in effect on November 1, 1972." The inquiry under Section 5 is whether the particular voting practice is "different from that in force or effect on November 1, 1972" (42 U.S.C. 1973c), but appellants' analysis of Texas law is incorrect. The voting procedures at issue here plainly constitute a change from pre-November 1, 1972 procedures.

In 1972, Texas governors exercised virtually complete discretion in scheduling special elections to fill vacancies in public offices. The only basic restriction upon this authority was that the election could not occur less than 20 days or more than 90 days after the first public notice of the order calling the election. See Tex. Elec. Code Ann. arts. 2.01, 4.01, 4.09(1) (Vernon 1967).

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[12] Between January 1, 1980, and December 31, 1984, the Department of Justice reviewed 2,204 voting changes categorized as special election changes, which include establishment of dates for special elections; 130 changes categorized as candidate qualification changes, including changes in candidate qualification periods; and 627 changes categorized as bond election changes (GX 9, at 2-3, Declaration of Sandra S. Coleman; GX 13, Selected Section 5 objection letters concerning election schedules).

The statutory provisions authorizing Governor White to issue the order that is the subject of this case are quite different. The statute establishes uniform dates for special elections and provides that the governor may select a different date only if he "finds the existence of a emergency that warrants calling the election for an earlier date" and his proclamation "identifies the nature of the emergency" (Tex. Elec. Code Ann. art. 2.01b (Vernon Supp. 1985)). Moreover, the governor may only call the election for a Tuesday or a Saturday (*ibid.*). These procedures for the calling of a special election are materially different from the procedures in existence prior to November 1, 1972. Accordingly, an order issued pursuant to these procedures cannot be exempted from preclearance under Section 5 on the ground that there has been no change from pre-November 1, 1972 practice.[13]

c. Appellants also contend (J.S. 11-13) that the Governor's special election plan was not subject to preclearance because the statutory provisions authorizing the Governor to set special election schedules previously had been precleared under Section 5.

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[13] Appellants argue (J.S. 13) that the procedures are the same because Texas governors consistently call special elections on the earliest possible date to fill United States representative vacancies. First, appellants' two pre-November 1, 1972 examples (J.S. App. F6-F7) hardly establish a consistent pattern. Second, the governor's discretion now flows from a different statutory scheme. Indeed, appellants implicitly recognize this fact in their argument (see pages 11-14, *infra*) that preclearance was not required here because the statutes that were the source of Governor White's authority previously had been precleared. Since the Governor's action was based upon post-1972 statutes, it necessarily constitutes a change from the pre-1972 procedures.

The setting of the election schedule at issue here was an exercise of the Governor's discretion in the specific circumstances of this particular election. Since the State did not submit this election schedule at the time the statute was precleared, the Attorney General did not have an opportunity to determine whether the particular dates chosen by the Governor for this election had the purpose or effect of denying or abridging the right to vote on a prohibited basis. The statutes that were precleared merely gave the Governor the power to declare an emergency and to choose a date for a special election. By failing to object to this procedure, the Attorney General cannot be said to have approved all future exercises of that power by every governor in all possible circumstances. Such a blanket approval is directly contrary to the searching, situation-specific analysis that is required under Section 5. See *Dougherty County Board of Education* v. *White*, 439 U.S. at 41.[14]

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[14] Appellants portray their argument as an effort to carve out a limited area of discretion for state officials (J.S. 9, 13), but their position actually poses a considerable threat to the effectiveness of the preclearance process because covered jurisdictions routinely make discretionary decisions pursuant to preexisting statutory authority. For example, state statutes often delegate to local officials the authority to select polling places. See, *e.g.*, Tex. Elec. Code Ann. § 43.002 (Vernon Supp. 1986). Under appellants' theory these decisions would amount to limited exercises of discretion that need not be precleared, but it is well established that polling place changes must be submitted for preclearance under Section 5 (see *Perkins* v. *Matthews*, 400 U.S. 379 (1971)). As the three-judge court recognized, "[p]reexisting *specific* procedures and practices need not be precleared, but the preexisting exercise of discretion to schedule election dates at will cannot be perpetuated without destroying the Voting Rights Act" (J.S. App. A3 (emphasis in original)).

Appellants also contend (J.S. 14) that preclearance of the statute was sufficient to preclear the Governor's exercise of

Moreover, this Court in *Hampton County* rejected an argument similar to appellants' position here. The county officials contended that preclearance of the special election schedule was not required because the Attorney General had precleared the underlying statute establishing elected school boards. This Court noted that the statute provided for a different election schedule. It held that a "change in voting procedures * * * must be submitted 'in some unambiguous and recordable manner.' A change that was never submitted at all does not meet this standard." Slip op. 15 (citations omitted) (quoting *Allen* v. *State Board of Elections*, 393 U.S. at 571); see also *McCain* v. *Lybrand*, 465 U.S. 236, 249-250 (1984). Since the special election plan at issue here was not submitted to the Attorney General along with the statute, it could not have been precleared with the statute.[15]

Finally, the relevant Department of Justice procedural guidelines confirm that the argument advanced by appellants is incorrect. The guidelines make clear that the Attorney General's failure to interpose an objection to legislation establishing procedures regarding voting changes or enabling state officials to insti-

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discretion because the Texas statute limits the governor's discretion. However, the statute contains no definite standards that would permit a general determination concerning the discriminatory effect of the governor's exercise of this authority.

[15] Appellants attempt to distinguish *Hampton County* on the ground that the statute at issue there did not confer any discretion upon county officials (J.S. 14). However, the Court focused on whether the Attorney General had examined the dates for the candidate qualifying period and special election, not the source of the county officials' authority to call the special election.

tute voting changes does not exempt from the preclearance requirement state officials' exercise of that authority. With respect to procedural legislation the regulations provide (28 C.F.R. 51.15) that "[t]he failure of the Attorney General to interpose an objection to a procedure for instituting a change affecting voting does not exempt the substantive change from the preclearance requirement." The guideline concerning enabling legislation states (28 C.F.R. 51.14 (a)):

> The failure of the Attorney General to interpose an objection to legislation: (1) That enables or permits political subunits to institute a voting change or (2) that requires or enables political subunits to institute a voting change upon some future event or if they satisfy certain criteria does not exempt the political subunit itself from the requirement to obtain preclearance when it seeks or is required to institute the change in question, unless implementation by the subunit is explicitly included and described in the submission of such parent legislation.

It is settled that the Attorney General's construction of the Act is entitled to considerable deference. *Hampton County*, slip op. 11-12; *United States* v. *Sheffield Board of Commissioners*, 435 U.S. at 131; *Dougherty County Board of Education* v. *White*, 439 U.S. at 39. These regulations therefore provide strong support for the conclusion that the preclearance of the underlying statute did not exempt the special election plan from preclearance under Section 5.[16]

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[16] Appellants suggest (J.S. 12) that 28 C.F.R. 51.14 is inapposite because that provision refers to "political subunits," a term that does not include the State itself (see 28 C.F.R. 51.6). However, the reasoning of the provision is equally

d. Finally, appellants suggest (J.S. 15) that Section 5 should not be interpreted to cover the changes in election scheduling at issue here because the Attorney General might delay preclearance beyond the 90 days within which the governor is required by statute to call a special election to fill a vacancy (Tex. Elec. Code Ann. art. 4.09 (Vernon Supp. 1985)), thereby prolonging vacancies in important public offices. As appellants recognize (J.S. 15), however, the Attorney General has only 60 days within which to object to a change submitted for preclearance under Section 5. Their claim that the period is "freely extendable" greatly overstates the facts. In *Georgia* v. *United States*, 411 U.S. 526, 539-541 (1973), the Court upheld a regulation providing that the 60-day period does not commence until a submission is re-

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applicable to legislation authorizing a state-level official to exercise discretion. It would make little sense to exempt from Section 5 review a governor's exercise of discretion when identical voting changes would require Section 5 review if effectuated by a political subunit of the state. In addition, appellants were notified in 1977, when the statute granting this discretion was reenacted, that "any changes in election date made pursuant to [that statute were] subject to the preclearance requirements of Section 5" (J.S. App. F3). Moreover, appellants' argument does not apply to 28 C.F.R. 51.15, which governs preclearance of procedural legislation, because that regulation includes states as well as political subunits.

The decision in *Turner* v. *Fainter*, No. A83CA35 (W.D. Tex. Feb. 8, 1983), holding that the preclearance of the statutes exempted from the preclearance requirement an order establishing a special election schedule, is unpersuasive because it predated this Court's decision in *Hampton County* and did not discuss the relevant Department of Justice guidelines.

ceived that satisfies the applicable standards.[17] Since the contents of a proper submission are spelled out in the Department of Justice guidelines (see 28 C.F.R. 51.24, 51.25, 51.26), a state in most instances can assure that the 60-day period begins with its initial submission.

Moreover, the guidelines specifically provide that a state may request that the Attorney General review its submission on an expedited basis (28 C.F.R. 51.32). The Attorney General's offer in this case to attempt to process appellants' submission within 24 hours so as to act before the election (J.S. App. A2), and the fact that appellants' submission after the election was processed in six days, shows that Section 5 procedures can be expedited in cases presenting exigent circumstances.

Although it is possible that the time needed for preclearance might delay a jurisdiction's ability to hold an election on short notice, it does not follow, as appellants contend (J.S. 15), that such a possibility demonstrates that Congress could not have intended that such changes in election schedules be submitted for preclearance. Congress concluded in its most recent extension of the provisions of Section 5, that "the preclearance remedy is still vital to protecting voting rights in the covered jurisdictions" (S. Rep. 97-417, 97th Cong., 2d Sess. 14 (1982)), and that Section 5 "remain[s] necessary and appropriate legislation to ensure the full enforcement of the rights guaranteed by the Fourteenth and Fifteenth Amendments to the Constitution" (S. Rep. 97-417, *supra*, at 9-10).

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[17] That portion of the regulations now is codified at 28 C.F.R. 51.35. At the time of the decision in *Georgia* v. *United States*, *supra*, the relevant Section was 28 C.F.R. 51.18 (1972).

In extending Section 5, Congress thus has exercised its constitutional powers in order to eradicate discrimination in voting on the basis of race, color or membership in a language minority. The theoretical possibility of delay is not a sufficient basis for threatening these goals by adopting a narrow interpretation of Section 5.[18]

2. We agree with appellants (J.S. 15) that this case is not moot even though appellants have complied with the district court's order requiring submission of the election plan and the Attorney General has not objected to the plan. An exception to the mootness doctrine was articulated by this Court in *Southern Pacific Terminal Co.* v. *ICC*, 219 U.S. 498, 515 (1911), for situations that are "capable of repetition, yet evading review." In *Weinstein* v. *Bradford*, 423 U.S. 147, 149 (1975), the Court explained that, in the absence of a class action, this doctrine is limited to situations in which two elements are present:

> (1) the challenged action [is] in its duration too short to be fully litigated prior to its cessation or expiration, and (2) there [is] a reasonable expectation that the same complaining party would be subjected to the same action again.

The chart of special election proclamations included in appellants' appendix (J.S. App. F6-F9) demon-

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[18] Appellants could avoid submitting schedules for emergency special elections by devising and obtaining preclearance of a system for scheduling such elections that does not involve the exercise of discretion. For example, Texas could enact a statute providing that an election to fill a congressional vacancy always would be held on the Saturday a fixed number of weeks following the minimum statutory notice period required under state law.

strates that Texas special elections frequently are held pursuant to an "emergency" schedule established by the Governor. There is thus a reasonable expectation that this controversy between appellants and the United States will recur.

In addition, the "emergency" special election process always will be completed before the Section 5 preclearance issue can be litigated fully unless this Court were to hear the case on an extremely expedited basis. To be sure, Texas could have prolonged the controversy in this case by refusing to submit the election plan for preclearance, but the three-judge court then would have voided the election (J.S. App. A4). The State should not be required to forego representation in Congress in order to present the issue for review by this Court.

CONCLUSION

The judgment of the district court should be affirmed.

Respectfully submitted.

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